

R02-20-R-003

1. Applicant Identification:

Mohawk Valley Economic Development Growth Enterprises Corporation (MVEDGE)
584 Phoenix Drive
Rome, NY 13441
(315) 338-0393
www.mvedge.org

2. Funding Requested:

- a. Grant Type: Revolving Loan Fund Coalition
- b. Federal Funds Requested
 - i. \$1,000,000,000
 - ii. MVEDGE is not requesting a cost share waiver
- c. Contamination: Hazardous Substances and Petroleum (\$800,000 Hazardous Substance and \$200,000 Petroleum)

3. Location/Target Areas:

Oneida County and Herkimer County, New York. Target area will focus on the population centers with highest concentration of brownfield properties, within the municipal boundaries of: City of Utica, City of Rome, City of Sherrill, City of Little Falls, Village of Herkimer, and Village of Ilion.

4. Contacts:

a. Project Director:

Christian Mercurio, VP Planning & Development
Mohawk Valley Economic Development Growth Enterprises Corporation
584 Phoenix Drive
Rome, NY 13441
cmercurio@mvedge.com

b. Chief Executive/Highest Ranking Elected Official

Steven J. Dimeo, President
Mohawk Valley Economic Development Growth Enterprises Corporation
584 Phoenix Drive
Rome, NY 13441
sdimeo@mvedge.com

5. Population:

Oneida County: 231,332
Target communities of Utica (60,635), Rome (32,473), and Sherrill (3,036)

Herkimer County: 62,240
Target communities of Herkimer (7,380), Ilion (7,790), and Little Falls (4,716)

6 Other Factors Checklist:

Other Factors	Page
Community Population is 10,000 or less	
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	
The priority site(s) is in a federally designated flood plain.	2
The redevelopment of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.	2
30% or more of the overall project budget will be spent on eligible reuse planning activities for priority brownfield site(s) within the target area.	1-3

Attachment(s): Letter from State Environmental Authority – NYS Department of Environmental Conservation

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Bureau of Program Management
625 Broadway, 12th Floor, Albany, NY 12233-7012
P: (518) 402-9764 | F: (518) 402-9722
www.dec.ny.gov

November 22, 2019

Christian Mercurio
Vice President Planning and Development
Mohawk Valley EDGE
584 Phoenix Drive
Rome, NY 13441

Dear Mr. Mercurio:

This is to acknowledge that the New York State Department of Environmental Conservation (DEC) received a request from HRP Associates on behalf of Mohawk Valley EDGE (MVEDGE), dated November 20, 2019, for a state acknowledgement letter for a Federal Year 2020 United States Environmental Protection Agency (USEPA) Brownfields grant.

I understand that MVEDGE plans to submit a grant application for a Revolving Loan Fund in the amount of \$1,000,000. Funds will be used to provide at least two loans and one subgrant to target areas in Utica, Rome, Ilion, Herkimer, Little Falls, and Sherrill for cleanup activities at brownfield sites contaminated with petroleum and hazardous substances. Funding would also be allocated for staff training, conferences, program implementation, community involvement activities, and cleanup oversight.

DEC encourages initiatives to redevelop brownfields with the goal of mitigating any environmental and health impacts that they might pose.

Sincerely,



Theodore Bennett
Director
Bureau of Program Management

cc: T. Wesley, USEPA Region 2
A. Devine, USEPA Region 2
J. Brown, DEC Albany
M. Duffany, DEC Region 6
P. Taylor, DEC Region 6
T. Simmons, HRP Associates
T. Seguljic, HRP Associates



NEW YORK
STATE OF
OPPORTUNITY

Department of
Environmental
Conservation

1.0 PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

1.a. Target Area and Brownfields

1.a.i Background and Description of Target Area

Mohawk Valley Economic Development Growth Enterprises Corporation (MVEDGE), in cooperation with Herkimer County Industrial Development Agency (IDA), is seeking EPA Brownfields Revolving Loan Funds (RLF) to remediate contaminated sites in two adjacent central New York rural counties: Herkimer and Oneida. A \$1M fund would be a game-changer for this predominantly rural rustbelt region, focusing on the component city and village population centers along the Mohawk River and Erie Canal corridor. The impacts of \$1.2M in remediation and redevelopment financing would be immediate, radical, and highly-visible in these small cities and villages – most noticeably impacting blue collar neighborhoods, vulnerable populations, and households who have been adversely impacted by the presence of these blighted and compromised properties for generations. For this reason, and in addition to ramping up the robust community engagement and feasibility analyses currently underway, the coalition will require a minimum of 30% of RLF proceeds be dedicated to eligible community-driven reuse planning activities for the priority sites.

Beginning in the early 1800s, mining and manufacturing companies began to locate their facilities in the resource-rich counties. The construction of the Erie Canal along the Mohawk River in the mid-1800s vaulted the area to entrepreneurial dominance, becoming a global leader in design, engineering, and technology. As the manufacturing base grew, people migrated to hubs in Utica, Rome, and Sherrill (Oneida County), and Herkimer, Little Falls, and Ilion (Herkimer County) – eventually reaching its peak in 1970.

Herkimer and Oneida counties' population began a slow decline in the 1970 - hastened with the closing of two dominant employment centers: Griffiss Air Force Base in 1995 and a nearby Lockheed Martin facility, eliminating nearly 7,000 civilian and military jobs virtually overnight. These closures precipitated a severe downturn and the failure of numerous industrial facilities, including Duofold (100 jobs), Chicago Pneumatic, and Union Fork and Hoe (75 jobs), Lasalle Labs (350 jobs), H.M. Quackenbush (90 jobs), and Daniel Green Slippers (400 jobs). Between 2006 and 2019, the region lost an additional 8,000 jobs across all sectors. Manufacturing was particularly hard hit, with a net loss of 3,000 jobs and the shuttering of dozens of plants.

The scale of contaminated properties and cumulative environmental issues cannot be overstated. Due to the counties' dwindling population and limited job base, the closure of these facilities has caused accelerated both problems. In the wake of widespread manufacturing plant closures are and the hulking remains of heavy industry, situated in the hearts of these once-robust manufacturing communities, along the banks of the Mohawk River and NYS Barge Canal. In Oneida and Herkimer County alone, there are more than 200 known and suspected brownfields – with contaminants ranging from PCBs, VOCs, TCEs, heavy metals, and petroleum in the surface, subsoils, and groundwater. As expected, the proximity of these former industrial facilities to the Mohawk River puts the majority of sites within or adjacent to frequently-flooded areas. Home values have stagnated due to disinvestment, while the younger, educated workers have migrated outside the region – supplanted by aging households and the working poor. These factors conspired to increase poverty, particularly among children and the area's working poor. Both counties can now claim an eroding tax base that is struggling to meet basic community needs, and more than 1,000 vacant commercial units region-wide.

The RLF Target Area will include the cities of Utica, Rome, and Sherrill in Oneida County; and the City of Little Falls along with the villages of Herkimer and Ilion in Herkimer County. These municipalities represent the population centers of the region – classic rustbelt communities, situated along the Mohawk River, who continue to shoulder the brunt of the region's industrial legacy. The City of Utica is the largest city in the Mohawk Valley region with a population of 60,635, and is the Oneida County Seat. Rome is home to 33,000 residents and was once considered one of the most geographically important transportation centers. Both cities now have a lower median household income than the state and national averages; with poverty rates

topping both the state and national averages. Sherrill is the smallest city in NY, population 3,071. Sherrill is known as The Silver City, owing to the national profile of Oneida Limited flatware manufacturers and still home to the last remaining flatware manufacturer in America. Once famous for its underwear and firearm's manufacturing; the Village of Ilion has witnessed a total collapse of its manufacturing base, resulting in empty buildings and massive layoffs. The Village of Herkimer has struggled with blight and vacancy for decades, as evidenced by piles of rubble cordoned-off in the heart of downtown. And finally, the lone City in Herkimer County, Little Falls has the highest concentrated poverty rate in the county, with a fate inextricably tied to their position on the Mohawk River.

The 2010-2014 American Community Survey (ACS) Estimates indicate that 16.5% and 15.9% of the total population in Oneida and Herkimer counties, respectively, live below the poverty level – signifying a 3.1% increase from the 2006-2010 ACS. Although these rates are high when compared to the New York State poverty rate of 13.6%, these rates pale in comparison to Utica and Little Falls rates of 32.2% and 29.9%, which are alarming by any measure. The poverty rates of Rome (19.4%), Herkimer (18.8%), and Ilion (20.9%) each exceed NYS poverty rates. Civic leaders have anecdotal and qualitative evidence that supports brownfields driving this trend; each blighted property will only spur greater poverty and disinvestment. USEPA funding will help reclaim contaminated parcels in our urban core neighborhoods.

1.a.ii. Description of the Priority Brownfield Site(s)

The target municipalities include 99 contaminated sites identified by the New York State Department of Environmental Conservation (NYSDEC). A sample of high-priority sites are identified below:

- **Mele Manufacturing Site**, owned by the city of Utica, is a 5 acre site located at 1712 Erie Street, is approximately 900 feet from the Mohawk River in a mixed-use area. The vacant site is blighted by rubble and remnants of old building foundations. Phase II and supplemental investigations were recently completed, revealing widespread VOCs, metals, and petroleum in the soils and groundwater. Public input and feasibility reviews have determined the best use of this site is redevelopment as a commercial campus to support the adjacent Mohawk Valley Health Systems downtown campus and NEXUS sports campus – making cleanup of this site critical to protecting the elderly, sick, and youth of the community.
- **Duofold Site**, a 10 acre former industrial site owned by the Village of Ilion, is located in a mixed-use district, 500 feet from the Mohawk River and within a federally designated floodplain. Occupied by a vacant decaying building, Duofold is an eyesore to neighbors and poses an environmental hazard to area residents, due to the presence of metals and VOCs in the soil. Investigations completed under EPA and NYSDEC guidance, also detected VOCs in the groundwater. The village, which has conducted several public outreach events, is working with the Herkimer County IDA to realize the public's desire to redevelop the site as a mixed use facility anchored by tech co-working space – primarily owing to the low electricity cost and available dual fiber service. The adaptive reuse project would include extensive reuse/adaptive reuse planning to ensure best practices in energy efficiency and on-site photovoltaic generation.
- **Rome Cable Complex 1**, a 10 acre site owned by Oneida County IDA, is located at 421 Ridge Street in the highly visible Erie Boulevard Gateway to Rome. Extensive investigations under the NYSDEC overview have determined that the site's surface soils exhibit SVOCs and metals, and subsurface soils have been impacted by metals. In addition, a chlorinated organics groundwater plume exists on-site and extends off-site into the surrounding commercial and residential areas. The NYSDEC has approved a remediation plan consisting of groundwater treatment and soil excavation and off-site disposal. The main structure is currently occupied by Owl Wire, which has invested more than \$2 million into the building, and created nearly 90 skilled manufacturing jobs, and continues to grow and hire. The facility is in the heart of downtown, and within walking distance of thousands of working-age households. The community wishes to support growth and expansion of good paying manufacturing jobs at the site.
- **H.M. Quackenbush Site**, comprised of three vacant structures, owned by HCIDA, and located in a residential area in the Village of Herkimer. Investigations completed under NYSDEC guidance have determined that the site poses hazards to neighbors due to the presence of metals within the site's soils and groundwater. The site represents a keystone project for the village due to its location and visibility, and

would be a highly-desirable property for developers. Remediation would include capping and groundwater treatment. Community visioning and reuse planning are critical to ensure smart growth practices.

- **Former gas station on NYS Route 5** in Sherrill. The City recently acquired the property and performed limited environmental investigations, revealing subsurface petroleum and hazardous substance contamination. The site is adjacent to the revitalized Oneida Limited campus, where Briggs & Stratton recently rehabilitated 570,000 square feet of vacant brownfield and transformed it into a thriving modern industrial facility where riding lawn mowers are manufactured, bringing more than 400 jobs to the former vacant, blighted, and contaminated facility. The gas station site has high redevelopment potential to support lifestyle retail for the Briggs & Stratton plant, and occupies a high-profile site on the major city thoroughfare. Community engagement and reuse planning is essential to help Sherrill, with limited capacity, realize their vision of a thriving, mixed-use corridor.

1.b. Revitalization of the Target Area

1.b.i. Redevelopment Strategy and Alignment with Revitalization Plans

Despite decades of urban decay and economic disinvestment, this region refused to succumb. Local and regional planners have collaborated on area-wide revitalization initiatives, including:

- The Mohawk Valley Regional Economic Development Council (MVREDC) worked with community leaders to develop a revitalization strategy, including a focused, data-centric approach to Vibrant Communities – including Mighty Waters, a multi-region initiative to restore community vibrancy along the Mohawk River through brownfield remediation and adaptive reuse of vacant properties.
- The City of Rome is engaged in two parallel BOAs, which have identified and completed remediation and adaptive reuse of multiple priority sites in the urban core. Comprehensive revitalization of the Rome Cable Site is inspiration behind and the top priority of the Erie Boulevard BOA; while other high-profile strategic sites have been assessed with USEPA funding in the Downtown Rome BOA.
- EDGE and HCIDA have partnered on multiple revitalization initiatives, and have recently submitted a proposal to NYS for funding for a Strategic Planning & Feasibility Study to advance the Duofold site.
- The City of Little Falls acted decisively to position itself as an ideal partner for the Greater Mohawk Valley Land Bank, and Main Street First worked to organize community “Fight Blight” educational sessions to promote the opportunities available through the new programs. Recognizing the momentum and community commitment to eliminating blight and decay, the Land Bank decided to headquarter its six-county operations in Little Falls and focus the City as their pilot project. Main Street First Land Bank Committee members continue to partner with the City of Little Falls, Greater Mohawk Valley Land Bank, and other local and regional organizations to leverage these and other programs to fight blight and promote sustainability in our community.
- The City is currently designing a fully accessible, complete-streets reconstruction of the corridor to enhance pedestrian and transportation connections between neighborhoods, businesses, and community services. Building on the collaborative success story at Silver City Industrial Park and Maple Leaf Market on Route 5, the City of Sherrill recently engaged MVEDGE and Oneida County Economic Development officials to tour priority sites and discuss initiatives that would continue to eliminate blight and generate new economic opportunities in Sherrill – focusing on vacant properties along the Route 5 corridor.

1.b.ii. Outcomes and Benefits of Redevelopment Strategy

A combination of public and private investments will focus on remediation, demolition, and adaptive reuse of urban core properties. Projected strategic initiatives outcomes include:

- Enabling the creation of up to 41 new jobs and retention of 87 existing jobs.
- 90% of properties will reach highest level of redevelopment (remediation and redevelopment);
- 5% increase in property values within 0.5 miles of the project site within 5 years;
- Reduction of housing vacancy rates within project census tract by 10% within 5 years;
- Adaptive reuse of 720,000 square feet of vacant/underutilized mixed-use property;
- Pad ready sites to accommodate local business expansion and start-ups; and

- Community revitalization planning and adaptive reuse planning for 3 priority sites.
- Development of the Mele Site in Utica will result in up to 40,000 SF of new construction, increasing local tax base by \$6 million and creating up to 27 new jobs.
- Successful redevelopment of the Duofold site is projected to increase local tax revenue by \$1.6 million per year, including 20,000+ SF of space for entrepreneurial start-ups with the potential for 20 new jobs and more than 40 new apartments.
- New investments Rome Cable Complex 1 in Rome is projected to retain up to 90 skilled jobs, and increase local tax revenue by \$200,000 per year, including improvement to surrounding residences and supply chain business.

1.c. Strategy for Leveraging Resources

1.c.i. Resources Needed for Site Reuse

Aligning as many financial and intangible resources as possible is essential to MVEDGE's redevelopment strategy. EDGE will utilize **Opportunity Zone tax incentives** to accelerate site demolition and redevelopment within the designated areas of Utica, Rome, and Herkimer. Both Rome and Utica were awarded **\$10 million in New York State Downtown Redevelopment Initiative (DRI) grants** to strengthen their urban cores and enhance the downtown core with enhanced connectivity and new development. The Rome Cable site is within the DRI Strategic Investment Zone, with more than \$20 million in new investment planned for projects adjacent to the site. Rome and Utica each have **New York State Brownfield Opportunity Areas (BOAs)** to provide community planning funding to identify brownfields in designated areas, remove barriers to brownfield redevelopment, and obtain public input about a site's reuse. Herkimer and Little Falls have access to **EPA Brownfield Assessment funds** to investigate and develop remediation plans for identified brownfield sites. Examples of additional available funding are:

- Herkimer and Oneida County IDAs offer Payments in Lieu of Taxes and Industrial Development Bond financing; relief from sales and mortgage recording taxes;
- NYS Empire State Development CFA and RESTORE NY grant funds allocates \$150+ million statewide for site development activities - including site remediation and demolition;
- NYS Downtown Revitalization Initiative (DRI) awarded \$10 million in grants to Utica and Rome for strategic properties; Little Falls is in the running for DRI in 2020;
- NYSDEC Environmental Restoration Program and Brownfield Cleanup Program Tax Credits for remediation and redevelopment of priority/ready brownfields; and
- NY Rising offers \$3 million to Herkimer County to implement new and innovative strategies investments in housing, economic development, and infrastructure.

1.cii. Use of Existing Infrastructure

RLF funding will advance Smart Growth and Environmental Justice principles by utilizing and improving existing utility, transportation, and public service infrastructure in the Target Area. Existing infrastructure is a primary consideration for defining the Target Area: 100% of the priority sites are located in cities and villages that have existing sewer, water, natural gas, electric, sidewalks, and bus routes. Existing wastewater and drinking water treatment plants have immense capacity for new and expanding facilities. Funding is available from state grants and Herkimer and Oneida County IDAs (local agency with ability to provide financial assistance via bonding) to upgrade existing infrastructure in the population centers.

2.0 COMMUNITY NEED AND COMMUNITY ENGAGEMENT

2. a. Community Need

2. a.i. The Community's Need for Funding

Herkimer and Oneida counties collectively experienced a population decline of 41,273 from 1970 to 2010. Home values and personal incomes are depressed, hampering the target area's ability to increase tax revenue. With no growth, the only option is to increase taxes on an already overburdened population of elderly and working poor. For example, Utica has reached its municipal borrowing limit, and its urban sprawl and high percentage of non-taxable property have conspired to make the combined property tax

rate one of the highest in the nation. Residents and businesses pay \$65 per \$1,000 of assessed value. This number is projected to exceed \$69 per \$1,000 by 2021. An eroding tax base and overburdened taxpayers can be found within each of the target municipalities. Vacant or underutilized brownfield properties in the Oneida-Herkimer Target Area are a major contributing factor to high tax rates foisted upon the cities and villages across the target area. As a result, already-compromised neighborhood property values continue to decline, creating a negative feedback loop of disinvestment and decay – resulting in a lack of public funds needed to address environmental issues required to redevelop brownfield sites. The RLF is our best chance at a region-wide financing tool to stimulate new investment and grow the tax base in our urban centers – creating a sustainable footing for decades to come.

2. a.ii Threats to Sensitive Populations

- 1) Lead poisoning is a serious concern to children, pregnant women and low income populations, especially in the Utica and Rome area, which rank number one in New York, with 29.8 children per 1,000 tested being lead poisoned (2009). Large tracts of pre-1950, substandard rental housing with original single pane windows covered in lead-based paints expose large numbers of newly arrived refugees who may be nutritionally challenged, lacking sufficient calcium and iron intake, may permit the uptake of lead from high levels of ‘lead in dust’ found in the older homes in the months shortly following their arrival. Further the children in low income families are exposed to potential inhalation of VOCs transported by soil gas and dermal contact from VOC and metal contaminated soils at brownfield sites are co-located with high rental rates in the target urban areas.
- 2) Elevated cancer risk, respiratory disease risk, and blood lead levels were identified in low-income areas of the target cites based on a review of the EPA Environmental Justice Screening and Mapping Tool (EJSCREEN) (2019). Negative health outcomes can be contributed to low income populations’ exposure to VOCs and heavy metals; an unsurprising finding when considering brownfields are adjacent to many low-income rental homes.
- 3) Other threats to Sensitive Populations include:
 - Above average levels (above 60th percentile) of fine particulates (PM 2.5) were measured in Utica, Rome, Herkimer, Ilion, Frankfort, and Little Falls; identified as elevated respiratory risk areas;
 - Rome, Utica, and Ilion have more areas in closer proximity to waste transfer and disposal facilities than surrounding municipalities. (80-90th percentile);
 - A higher concentration of national EPA Superfund National Priority List (NPL List) sites are present in Rome, Utica, Herkimer, Ilion, and Little Falls;
 - Elevated cancer risks from inhalation of air toxics were identified by the USEPA National Air Toxics Assessment (NATA) in the 80-90th percentile in Utica. Areas with risks in the 50-70th percentile were Frankfort, Rome, Little Falls, Herkimer, and Ilion; and
 - Lead exposure risk areas are present in Utica, Herkimer, Ilion, and Rome. Lead risk exposure areas are defined by EJSCREEN as the percent of housing built before 1960 containing lead paint.

2. b. Community Engagement

2.b.i.Community Involvement

Each of the listed entities is a local community partner committed to the proposed RLF.

Partner Name	Point of Contact	Specific Role
Herkimer County Industrial Development Agency	Jim Bono, Chairperson John Piseck, Executive Director	- RLF Coalition Member - RLF Committee member - site selection and prioritization - coordination of financial incentives and cost share for projects in Herkimer County
The Community Foundation of Herkimer and Oneida Counties, Inc.	Alicia Dicks, President Joseph Wicks, Special Projects Manager adicks@foundationhoc.org	- Member of RLFC project committee, site selection and prioritization. - Liaison to relevant community organizations - Community outreach and engagement, focusing on public health and social justice

	jwicks@foundationhoc.org (315) 735-8212	- Alignment of RLF projects with community-based wellness and revitalization initiatives
Greater Mohawk Valley Land Bank	Tolga Morawski, Executive Director, tolgam@gmvlb.org (315) 823-0814	- Site identification and environmental assessment - property acquisition, interim maintenance, and disposition.
City of Rome Department of Community & Economic Development	Matt Andrews, Director Kristy Barhite, Senior Planner mandrews@romecitygov.com kbarhite@romecitygov.com (315) 339-7628	- Site selection and prioritization - Project Lead for Erie Boulevard Brownfield Opportunity Area (BOA) community engagement, planning & implementation - Project Lead for Downtown Revitalization Initiative (DRI) implementation
Rome Community Brownfield Restoration Corporation	Rob Angelicola rob@rointeriors.com	- Financial support for Rome Cable project - Community engagement for brownfield revitalization activities in the City
Utica Urban Renewal Agency & Utica Industrial Development Agency	Brian Thomas, Director bthomas@cityofutica.com Jack Spaeth, Executive Director jspaeth@cityofutica.com (315) 792-0193	- Project Lead for Utica Brownfield Opportunity Area (BOA) community engagement, planning, and implementation - Coordination of financial incentives for redevelopment of Mele site and Utica priority sites
Mohawk Valley Regional Economic Dev. Council	Allison Nowak, Deputy Director Allison.nowak@esd.ny.gov (315) 793-2366	- Coordinator for financial assistance for redevelopment of priority RLF sites through NYS CFA and RESTORE NY programs
Oneida County Economic Development	David Catalfamo, Director dcatalfamo@ocgov.net (315) 793-6080	- RLF Committee member - Identification and prioritization of RLF sites - Coordination of RLF projects with County-driven economic development initiatives
Chamber Alliance of the Mohawk Valley (CAMV)	Jennifer Waters, President jwaters@mvedge.org (315) 338-0393	- Regional marketing, digital communications, and public engagement with Chambers of Commerce and partner organizations - Communications and marketing for MVEDGE
City of Sherrill	Brandon Lovett, City Manager blovett@sherrillny.org (315) 363-2440	- Site selection for Sherrill brownfields - coordination of civic engagement in Sherrill - community planning & visioning coordinator
Little Falls Main Street First	Judy Wolf, President Judywolf27@gmail.com	- Redevelopment visioning and planning for Little Falls brownfield sites. - Community engagement and marketing for Little Falls and Herkimer priority projects

2.b.ii. Incorporating Community Input

MVEDGE recently hosted the following community engagement events in preparation for the RLF:

- **The Oneida-Herkimer Brownfields Interagency Work Group** (9/19/19) was hosted by MVEDGE & HCIDA for municipalities with priority sites. The meeting was held at the Community Foundation of Herkimer and Oneida Counties to a standing-room only crowd of more than 35 attendees, including representatives from the NYSDEC, City of Rome, City of Utica, Herkimer County IDA, prospective developers, USEPA Region 2, Center for Creative Land Recycling (CCLR), and community leaders. Presenting were Matt Andrews from City of Rome; Jack Spaeth from City of Utica; John Piseck from HCIDA; Christian Mercurio from MVEDGE; and Jean Hamerman from CCLR.
- **The Mohawk Valley Opportunity Zone Forum** (11/21/19) was hosted by MVEDGE for Herkimer and Oneida counties to identify and discuss priority projects within the federally designated zones. Presenting were Dave Trevisani from the National Development Council; Julia Martin & Kevin Sayles from Bousquet Holstein; Pietra Zaffram from Harris Beach; Steve DiMeo from MVEDGE; and Ann Rushlo from the Mohawk Valley Association of Realtors. The 30+ attendees included realtors, developers, community leaders, planners, and financial institutions interested in investing in

Opportunity Zones in Oneida & Herkimer Counties.

- **The Erie Boulevard BOA Steering Committee** (11/7/19) was co-hosted by MVEDGE and the City of Rome. This gathering finalized the draft BOA Nomination Study – concluding nearly 12 months of civic engagement and stakeholder meetings to create a vision for the Erie Boulevard BOA. The BOA includes the DRI Strategic Investment Area (including Rome Cable).
- **The Site Selectors Guild Advisory Forum** (10/22/19-10/24/19) was hosted by MVEDGE & HCIDA to stimulate interest in developable sites in Oneida and Herkimer counties. Over three days, more than 300 community members and stakeholders from both counties had the opportunity to engage with the Site Selectors and discuss investment-readiness.

MVEDGE has been partnering with county leadership, local municipalities, business improvement districts, businesses, nonprofits, and developers on its brownfield efforts since 1995. MVEDGE is directly involved with the target municipalities' Opportunity Zones, BOAs, EPA Brownfield Assessment Grant, and Rome and Utica's DRIs; MVEDGE can seamlessly integrate RLF funding with existing community initiatives. MVEDGE will develop an RLF Brownfields Community Engagement Plan that will proactively engage local/regional developers, site selectors, residents, property owners and businesses about the availability of resources for brownfield cleanup. Presentations will continue to be held at the regularly scheduled meetings of the local Industrial Development Agencies, Economic Development groups, neighborhood associations, chambers of commerce and Council meetings. These organizations will provide a channel of ongoing communication through which MVEDGE staff can keep communities informed, monitor results, and ensure concerns are addressed on a timely basis. All cleanup activities will be conducted with the safety of the public in mind, especially for sensitive groups. MVEDGE will ensure use of signage with contact information, barricades, fencing, and dust suppression techniques. MVEDGE will work with regulators to ensure all procedures are instituted at cleanup sites. Using best practices, MVEDGE will limit potential exposure for sensitive groups and mitigate health and safety risks.

Any community engagement will include targeted outreach through MVEDGE's website, sharing informational flyers at community hubs and local meetings (VFW halls, senior centers, etc.), and providing data and information to news organizations. If necessary, handicap services, hearing devices, and Spanish translation services will be provided at these meetings. All public meetings held as part of the community outreach program will allow for public comment. Community input will be weighed when selecting sites, completing site evaluation, and preparing site redevelopment plans. This engagement will ensure that public concerns are addressed, and that the public understands and embraces the site's redevelopment plans.

3.0 TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

3.a. Program Management and Marketing Strategy

3.a.i. Program Management

MVEDGE provides a coordinated economic development program within the targeted communities that works with local leaders to identify available sites, attract, and grow business, and arrange and manage financing, as needed. To ensure a successful RLF, MVEDGE will initially develop a detailed plan and a loan committee manual based on EPA guidance, and in discussions with existing Brownfield RLF communities. Key components are as follows:

Team Structure: MVEDGE's Economic Development staff lead by Christian Mercurio, Vice President Planning and Development will be responsible for marketing, underwriting, and servicing loans. EDGE staff has been providing these services to Herkimer and Oneida counties since 1996.

How to select borrowers and sub-grantees: Loans and sub-grants will be generated through the engagement plan, outlined below in Section 3.a.iii Marketing Strategy, with priority given to projects with the most impact within the Target Area. Applicants must demonstrate they meet RLF eligibility requirements. Subgrants will be determined by the gap analysis upon review and tightening of each project proforma.

How projects align with land use and revitalization plans: Program activities will be required to comply with local ordinances, local and regional economic development initiatives, and the Mohawk Valley Regional

Sustainability Plan that encourages sustainable growth and energy efficiency. Sites that receive loans will be required to complete the projects per NYSDEC Brownfield Clean-up Agreements.

3.a.ii Revolution of the RLF Program

Reasonable and prudent lending practices: Financial risk will be evaluated based on financial statements, tax returns, credit reports and other financial information. Underwriting standards will be consistent with industry standards and best practices. MVEDGE has been and remains willing to take subordinate position to primary lenders to encourage participation of local financial institutions and CDFIs.

Maximize lending and provide gap financing: By identifying projects in the target areas, financial resources will be prioritized for sites in a vulnerable community. The RLF will be maximized by providing gap financing and requiring match of borrowers, which will leverage EPA funds as well as ensure property owner commitment to the cleanup project. Low-interest rates and interest-only periods during construction will be used to ensure flexibility and affordability.

Incorporate innovative approaches: MVEDGE has operated similar loan programs for over a decade and used innovative approaches such as structuring cleanup by combining NYSDEC funding with private funding. MVEDGE has been successful in structuring a number of PILOT Increment Financing (PIF) on brownfield projects to ensure that critical infrastructure, site preparation, and public services are incorporated.

Reporting: MVEDGE is committed to completing quarterly reports and ACRES updates on time and accurately, and has done so for its brownfield grants over the last 10 years. MVEDGE is willing to continue reporting beyond the 5-year grant period to ensure that all numbers, outcomes, and successes are recorded.

3.a.iii Marketing Strategy

Over the past several years, MVEDGE and Herkimer County IDA have conducted a minimum of 14 Phase I ESAs, eight Phase II ESAs, and four supplemental investigations at both private and publicly-held brownfields. Strong redevelopment interest within the target communities has led MVEDGE to seek EPA RLF dollars for these priority sites. MVEDGE will continue to implement the marketing strategy which has already yielded program successes. The strategy includes five main components:

- 1) Community outreach to members, business associations, developers, community groups, and other interested stakeholders and neighborhood/community organizations;
- 2) Constant Contact mailings and social media campaign will describe the availability of funding;
- 3) Engagement with the real estate brokers and environmental consultants;
- 4) Targeted outreach to property owners and non-profits; and
- 5) Outreach to Site Selectors and Developer Forums that will include inviting developers to tour sites and distribute site information and available funding and incentives.

Low-interest cleanup loans will be targeted to eligible private sector borrowers, and grants will be targeted to non-profits and municipal-owned brownfield sites. Outreach has indicated a strong demand for low-interest RLF funds from local developers. MVEDGE has had continued conversations about the redevelopment plans and needs with the Village of Ilion, owner of the Duofold site, to provide either a sub-grant or low-interest RLF loan to assist with the site's remediation. MVEDGE will also work with the RLF committee, planning commission and redevelopment members, and community partners to market the RLF program.

3b. Description of Tasks and Activities

Task/Activity: Task 1- Grant Oversight and Fund Management
<p>i. Program Implementation</p> <p>This task includes MVEDGE staff labor and benefits to administer the program as well as travel to Brownfields conferences and trainings. MVEDGE staff and consultants will be responsible for updating the program's Implementation Plan, reviewing loan applications, coordinating loan committee, underwriting financials, loan monitoring, tracking fund balance/program income, and required EPA reporting. This task includes MVEDGE time and supplies (112 hours @\$79/hr.= \$8848.00; \$2,645 total fringe, \$600 supplies, \$5,000 for travel, \$10,000 consultants).</p>

ii. Anticipated Project Schedule: Throughout RLF
iii. Task/Activity Leads: Christian Mercurio, Vice President Planning and Development
iv. Output: : Quarterly Reports, ACRES reports, conferences and trainings attended, Site Eligibility Forms and Applications processed
Task/Activity: Task 2- Community Engagement and Program Marketing
i. Program Implementation This task includes: hiring and managing QEP for identified services, and ensuring monthly QEP invoices and work narrative with each invoice; QEP kick-off meetings, project conference calls, meetings and discussions with QEP; Project set up, managing the detailed scope and responsibilities of all partners; Attend relevant EPA BF trainings, conferences & professional development opportunities; Communicate regularly with EPA's designated grant manager, perform all necessary fiscal management and grant reporting activities including quarterly progress reports, MBE/WBE forms submitted semi-annually, final studies, plans and compliance reports, ACRES reporting, and project close-out reports. This task includes Contract Services, MVEDGE time, and supplies. (92 hours @\$79/hr.=\$7,268;+\$2,180 total fringe, \$8,000 for contractual services, and \$2,780 for supplies).
ii. Anticipated Project Schedule: Throughout RLF
iii.Task/Activity Leads: Christian Mercurio, Vice President Planning and Development
iv. Output: Community meetings attended, property owner meetings and Community Engagement Plan environmental work plans and ABCA preparation and review; cleanup and labor monitoring, as well as preparation and submission of quarterly reports to EPA, ACRES updates, competitive selection of QEP
Task/Activity: Task 3- Cleanup & Oversight
Program Implementation: The budgeted amount will be primarily for a QEP to monitor and administer oversight on the cleanup projects. Specific tasks include: Project meetings and site visits with DEP as needed for project monitoring and compliance; ABCA review/response to public comments relating to environmental cleanups, and general cleanup coordination; Oversight of cleanup is conducted throughout the process to ensure consistency with human health protection, other NYSDEC requirements, etc.; ensuring Davis-Bacon wage rates are utilized, coordinate with NYSDEC oversight, mitigate adverse neighborhood impacts (noise, dust, parking, etc.), Review and environmental monitoring of cleanup plan activities; Secure necessary cleanup site approvals from EPA and NYSDEC. This task includes time for MVEDGE and the QEP (222 hours @\$79/hr.=\$17,538;+\$5,261 total fringe, \$56,000 for the QEP \$1000 in supplies).
ii. Anticipated Project Schedule: Throughout RLF
iii. Task/Activity Leads: Christian Mercurio, Vice President Planning and Development
iv.Output: 6-10 site visits and 3-5 certification of completion documents
Task/Activity: Task 4- Loans and Subgrants
i. Program Implementation Developing the loan and grant guidelines and procedures, eligibility, site screening criteria; defining roles of the program manager, fund manager, RLF Committee; RLF Committee coordination and oversight; and Negotiations with loan/sub-grant participants, Preparation of loan documents/loan origination and underwriting, Preparation of promissory notes and filings, loan servicing, loan monitoring and compliance, tracking loan and interest payments. This task reflects the technical oversight needed to carry out BF site cleanup activities. It includes MVEDGE time: (64 hours @79/hr=\$5,056; +1,517 total fringe, \$65,000 for the QEP, \$397 in supplies, \$600,000 in loans + \$400,000 in subgrants).The budgeted amount will be primarily for a QEP to monitor and administer oversight on the cleanup projects. *RLF projects (loans and subgrants) will require a minimum of 30% for eligible redevelopment planning activities.
ii. Anticipated Project Schedule: Q1: Marketing and Public Outreach, Preparation of loan templates, Site Selection and Prioritization, Finalize MOA and roles and responsibilities of the Coalition Q2: Continue Public Outreach, Initiate first RLF loan/subgrant project Q3 – Q20: Continue public outreach and marketing, issue loans/subgrants, implement projects, track

balance and program income, reporting.
iii. Task/Activity Leads: Christian Mercurio, Vice President Planning and Development
iv. Output: 10 RLF committee meetings and make 3-5 RLF loans/sub grants in first 5 yrs.

3c. Cost Estimates and Outputs

Cost Estimates The following costs are based on review and research of similar successful, funded grant proposals and of similar scale assessment activities.

Budget Categories		Task 1: Grant Oversight and Fund Management	Task 2: Community Engagement & Program Marketing	Task 3: Cleanup Oversight	Task 4: Loans and Subgrants	Total
Direct Cost	HAZARDOUS SUBSTANCE					
	Personnel	7,078	5,814	14,030	4,045	30,968
	Fringe Benefits	2,124	1,744	4,209	1,213	9,290
	Travel	4,720				4,720
	Equipment					
	Supplies	480	2,224	800	318	3,822
	Contractual	8,000	6,400	44,800	52,000	111,200
	Other-Loans (must be at least 50% of the amount requested)				480,000	480,000
	Other-Subgrants				320,000	320,000
	Other Direct Costs (specify type)					
	PETROLEUM					
	Personnel	1,770	1,454	3,508	1,011	7,742
	Fringe Benefits	531	436	1,052	303	2,323
	Travel	1,180				1,180
	Equipment					
	Supplies	120	556	200	79	955
	Contractual	2,000	1,600	11,200	13,000	27,800
	Other-Loans (must be at least 50% of the amount requested)				120,000	120,000
	Other-Subgrants				80,000	80,000
	Other Direct Costs (specify)					
	Total Direct Costs	28,002	20,228	79,799	1,071,970	1,200,000
	Indirect Costs					
	Total Federal Funding (not to exceed \$1,000,000)	22,402	16,183	63,840	857,576	960,000
	Cost Share (20% of requested federal funds)	5,600	4,046	15,960	214,394	240,000
	Total Budget (Total Direct Costs+Indirect Costs)	28,002	20,228	79,799	1,071,970	1,200,000

3.d. Measuring Environmental Results

MVEDGE will track the following:

Number of brownfield sites identified, applications processed, loans executed, sub-grants executed, sites cleaned up, community meetings held, individual property owner briefings, updated brownfield inventory, site eligibility forms submitted to EPA, Analysis of Brownfield Cleanup Alternatives, Sampling and Analysis Plans, and ACRES reports. Tracked outcomes include: number of sites cleaned up, permit applications submitted, acres ready for reuse, permanent and construction jobs created, businesses created on sites, and dollars leveraged (including reporting after mandatory period).

4.0 PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

4.a.Programmatic Capability

4. a.i and ii Organizational Structure and Description of Key Staff

This grant will be managed by MVEDGE's Planning & Economic Development staff, which has extensive experience and expertise in site development, adaptive reuse, marketing & attraction, and managing development projects, particularly relating to brownfield sites:

- **Management:** Christian Mercurio, Vice President Planning and Development will be responsible for overall program management. Since 2007, Christian has been the brownfields project lead and owner's representative for seven (7) Environmental Restoration Program sites, one (1) NYS Superfund Site, one USEPA Brownfields Assessment Grant and multiple private and not-for-profit-owned brownfield remediation/redevelopment sites. Christian has managed – or is currently managing – multiple local, state, and federal grant programs including EPA Brownfields Assessment Grant, USDA Rural Business Development Grant, Empire State Development Grant, Downtown Revitalization Initiative, Green Infrastructure Grant Program, Environmental Restoration Program, and other state and local initiatives. Christian sits on the Erie Boulevard Brownfield Opportunity Area Steering Committee, serves on the planning committee and as a panelist for Center for Creative Land Recycling (CCLR) workshops and forums in NYS, and participates in EPA Region 2 Interagency Work Group meetings.
- **Marketing:** Jennifer Waters, Vice President Business Development and Communications will be responsible for marketing the RLF program. Jennifer handles the communications and social media for MVEDGE, and will be responsible for facilitating public engagement, coordinating press releases with EPA and developing RLF printed and digital materials.
- **Portfolio & Underwriting Management:** Peter Zawko, VP of Economic Development will be responsible for loan underwriting. Peter is the underwriter for all MVEDGE and partner agency loan and grants programs, with more than 30 years of experience in land development, commercial lending, and project management. Peter performs business credit analysis, underwriting, deal structuring, and utilizing multiple loan and grant programs to provide gap financing to complex site development projects. Peter is in charge of MVEDGE-administered funds, including: Job Development Loan Fund, CDBG Economic Development and Microenterprise Grants, USDA Rural Business Development Grant and Revolving Loan fund, RIDC Loans, UIDC Loans, MVEDGE Participation Loans, Title IX Loans, and PIF financing.
- **Financial Management:** Maureen Carney, Chief Financial Officer will be responsible for creating accounts, tracking loans and closing out loans. Maureen currently manages the books and finances for MVEDGE and thirteen (13) participating agencies to which MVEDGE provides staff services. Maureen is responsible for procurement, creating accounts, disbursing funds, booking loan payments, and managing the amortization schedules for more than two dozen active loans in the MVEDGE portfolio. As a result of managing multiple local, state, and federal funds, Maureen is up to speed on Davis Bacon and Uniform Guidance.

4.a.iii Acquiring Additional Resources

MVEDGE will use federal procurement guidelines to hire a QEP for site specific management and monitoring for each remediation project, as well as hire a full-service QEP familiar with USEPA grant procedures/guidelines to assist MVEDGE staff with reporting and grant management.

4.b. Past Performance and Accomplishments

4.b.ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements

(1) Purpose and Accomplishments: MVEDGE has not directly received an EPA Brownfield Grant to date, but has received other Federal/Non-Federal Assistance agreements. Previous grants have been successfully completed, on time, on budget, and in compliance with all regulations. Additionally, MVEDGE staff is comprised of planners, accountants, and project managers who have municipal and non-profit backgrounds who have been involved in multiple USEPA projects, dating back to the USEPA

Brownfields PILOT program of the late 1990s and early 2000s. Examples of grants awarded to MVEDGE and previously completed and/or under management are provided below.

MVEDGE GRANT ADMINISTRATION					
Granting Agency	Date / Amount	Status	Purpose	Outputs	Outcomes
USDA Rural Development Grant	2016-2019 \$460,000	Underway	Strategic planning and feasibility analyses, Rural Revolving Loan-Lease Program	Site planning for industrial expansion on the former Ethan Allen furniture campus; Agribusiness feasibility study; revolving loan-leaseback program	1 agribusiness feasibility study completed, 1 industrial expansion study underway, 5 small business loan-leasebacks under management.
NYS Environmental Restoration Program *	2005-2019/ \$2.5+ M	1 Completed 1 Underway	Investigation and remediation of two (2) brownfield sites, four (4) Operable Units	4 Records of Decision (each of 4 operable units) Preferred Remedial Alternatives developed for each of 4 operable units.	*Managed for Oneida County Industrial Development Agency. Construction of 50,000 SF private manufacturing facility underway on one site. Demolition and final remediation underway at adjacent site.
NYS Empire State Development Grants	2011-2019/ \$140+ M	Completed & underway (multiple)	Site development, business assistance, and brownfield remediation	Strategic Planning & Feasibility Studies (SPFS), Economic Transformation Program	Semiconductor infrastructure development at 400 acre site, industrial site development at 3 sites, direct business assistance to 4 advanced manufacturing and technology firms

(2) Compliance with Grant Requirements: MVEDGE initially generated a work plan with tasks, milestones and timeframes for completing the work within grant guidelines. During the administration of the grants, meetings were held at milestones by MVEDGE officials and invested parties to determine the progress of the grant and make needed changes. At the conclusion of the grants, a review was completed to determine the overall success and/or areas requiring improvement. These reports were submitted to the awarding agency within the grant requirements. The reporting requirements within each grant (monthly or quarterly), were completed on time and submitted in the required report formats. No corrective actions were required during the administration of the grants.

Thank you for your time and consideration of our Coalition's application for vital brownfields funding.



THRESHOLD CRITERIA MVEDGE RLF GRANT APPLICATION

Name of Applicant: Mohawk Valley Economic Development Growth Enterprises Corporation (MVEDGE)

Applicant eligibility: MVEDGE is a 501(c) 3 (see attachment)

Description of jurisdiction: Oneida County and Herkimer County, State of New York. Target area for RLF includes the Municipal boundaries of the City of Utica, City of Rome, City of Sherrill, City of Little Falls, Village of Herkimer, and Village of Ilion, NY.

Oversight Structure and Legal Authority to Manage a Revolving Loan Fund:

- a. Oversight Structure: MVEDGE will require loan and subgrant recipients to be enrolled in the NYS Department of Environmental Conservation (NYSDEC) Brownfield Clean-up Program or obtain a Consent Order for site remediation from the NYSDEC. NYSDEC will provide an oversight role in the management and cleanup of brownfield sites. MVEDGE will also hire a Qualified Environmental Professional (QEP) to provide technical program oversight and oversee the cleanup of brownfield sites. The QEP will be procured consistent with all applicable County and federal/grant provisions and will be hired before site cleanups begin. QEP will assist with timely and accurate USEPA reporting and updating the ACRES database.
- b. Legal Opinion: Please see the attached legal opinion from MVEDGE legal counsel attached to the cover letter of this application and indicates the following: 1) legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a subgrant through site access agreements or provisions in loan/subgrant agreement 2) legal authority to perform the actions necessary to manage a revolving loan fund.

Statutory Cost Share

MVEDGE is requesting \$1,000,000 in RLF grant funds. MVEDGE will provide the 20% required local cost share of \$200,000 by:

- a. Contribution of money, labor, material, or services from a non-federal source, as allowable under the grant and in compliance with 2 CFR S 200.306; and
- b. requiring loan and sub-grant recipients to provide 20% non-federal match as part of their brownfield cleanup project. This requirement will be integrated into loan and sub-grantee agreements. MVEDGE will ensure that the match provided is only for eligible and allowable cleanup costs.

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
G.P.O. BOX 1680
BROOKLYN, NY 11202

DEPARTMENT OF THE TREASURY

Date: APR 14 1997

ECONOMIC DEVELOPMENT GROWTH
ENTERPRISES CORPORATION
C/O STEVEN J DIMEO
153 BROOKS ROAD
ROME, NY 13441

Employer Identification Number:

[REDACTED] Exemption 6

Case Number:

117063022

Contact Person:

NATALIE ALLEN

Contact Telephone Number:

(718) 488-2320

Accounting Period Ending:

December 31

Form 990 Required:

Yes

Addendum Applies:

No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 509(a)(3).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(3) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(3) organization.

ECONOMIC DEVELOPMENT GROWTH

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$10 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

In accordance with section 508(a) of the Code, the effective date of this determination letter is December 19, 1995.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your

ECONOMIC DEVELOPMENT GROWTH

continued exemption, you should keep records to show that funds are expended only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), there should be evidence that the funds will remain dedicated to the required purposes and that they will be used for those purposes by the recipient.

If distributions are made to individuals, case histories regarding the recipients should be kept showing names, addresses, purposes of awards, manner of selection, relationship (if any) to members, officers, trustees or donors of funds to you, so that any and all distributions made to individuals can be substantiated upon request by the Internal Revenue Service. (Revenue Ruling 56-304, C.B. 1956-2, page 306.)

Since you have not indicated that you intend to finance your activities with the proceeds of tax exempt bond financing, in this letter, we have not determined the effect of such financing on your tax exempt status.

If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Herbert J. Huff". The signature is fluid and cursive, with the first name "Herbert" being more prominent.

Herbert J. Huff
District Director

December 3, 2019

United States Environmental Protection Agency
Region 2
290 Broadway, 25th Floor
New York, New York 10007
Attn: Ms. Alison Devine

Re: Application by Economic Development Growth Enterprises Corporation for a FY2020
EPA Revolving Loan Fund Coalition Grant

Ladies and Gentlemen:

We are counsel to Economic Development Growth Enterprises Corporation ("EDGE"), a private, New York not-for-profit corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, whose corporate purposes are, among other things, to encourage the location and expansion of industrial and manufacturing capacity and the creation of new and improved job opportunities in and throughout Oneida County, New York and, insofar as may be expedient or necessary in the accomplishment of its corporate purposes, anywhere in the State of New York or the United States of America outside of Oneida County.

EDGE and Herkimer County Industrial Development Agency (HCIDA"), a New York public benefit corporation created by the New York State Legislature, have each committed to the establishment of a coalition (the "Coalition") to facilitate the cleanup and reuse of brownfield sites located in Oneida County and/or Herkimer County, New York. Oneida County and Herkimer County adjoin one another and are part of the Mohawk Valley Region of New York State.

EDGE, acting on behalf of the Coalition as its "lead" eligible entity, is this date submitting an Application (the "Application") to the United States Environmental Protection Agency (the "EPA") for a revolving loan fund grant of up to \$1,000,000.00 (the "RLF Coalition Grant") to capitalize a revolving loan fund (the "RLF") to be held and administered by EDGE. The RLF would be used to provide no-interest or low-interest loans for eligible brownfield cleanups of sites located in Oneida County and/or Herkimer County, subgrants for such cleanups, and other programmatic costs necessary to manage the RLF.

This opinion letter is being furnished to EPA at EDGE's request in connection with the Application.

We have examined originals (or copies certified or otherwise identified to our satisfaction) of such instruments, certificates and documents as we have deemed necessary or appropriate for the purposes of the opinions rendered below. In such examination, we have assumed the genuineness of all signatures, the authenticity of all documents submitted to us as originals and the conformity to the original documents of all documents submitted to us as copies. We have relied upon the aforementioned instruments, certificates and documents as to any facts which were not independently established.

Based upon the foregoing, we are of the opinion that:

1. The establishment of the RLF to provide no-interest or low-interest loans for eligible brownfields cleanups at sites located in Oneida County and/or Herkimer County, subgrants for such cleanups, and other programmatic costs necessary to manage the RLF would be in furtherance of EDGE's corporate purposes.
2. EDGE has the corporate power under its Certificate of Incorporation and the New York Not-For-Profit Corporation Law, particularly Section 202 thereof, to perform the actions necessary to manage a revolving loan fund (such as the RLF), including the ability to hold funds, make loans, enter into loan agreements and collect repayments.
3. EDGE has the corporate power under its Certificate of Incorporation and the New York Not-For-Profit Corporation Law, particularly Section 202 thereof, to enter into an agreement, including a loan agreement and/or a grant agreement, with a site owner whereby the site owner grants unto EDGE the authority for EDGE and its representatives to (a) access, inspect, and secure the site; and (b) take appropriate actions to abate or rectify any emergency condition, refer the site to appropriate state or federal authorities, or contract for completion of performance contemplated under a loan or grant at the borrower's or subgrantee's expense .

We also advise you that this opinion is limited to the laws of the States of New York and of the United States of America and we do not purport to express any opinion herein concerning any law other than the laws of such state and the federal law of the United States.

This opinion letter is for the benefit solely of EPA and not for the benefit of any other person. We are opining herein only as of the date hereof and we undertake no, and disclaim any, obligation to advise EPA of any changes in any matter set forth herein, regardless of whether changes in such matters come to our attention after the date hereof. No attorney-client relationship exists or has existed with EPA by reason of our preparation, execution and delivery of this opinion letter. By providing this opinion letter and permitting reliance hereon by EPA, we are not acting as EPA's counsel and have not assumed any responsibility to advise EPA with respect to the adequacy of this opinion letter for EPA's purposes. This opinion letter may not be relied upon by any other person or for any other purpose or used, quoted or otherwise referred to for any other purpose.

Very truly yours,

SAUNDERS KAHLER, L.L.P.

By: 

Joseph E. Saunders

SECRETARY'S CERTIFICATE

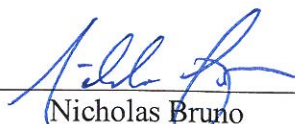
I, Nicholas Bruno, Secretary of Economic Development Growth Enterprises Corporation ("EDGE"), a not-for-profit corporation duly organized and existing under the laws of the State of New York, do hereby certify:

1. That EDGE is validly existing and in good standing as a not-for-profit corporation under the laws of the State of New York.

2. That EDGE's current By-Laws provide that "to the extent permitted by law, the Executive Committee [of EDGE's Board of Directors] shall exercise the powers of the Board of Directors in the interim between meetings of the Board", and that the last meeting of the EDGE Board of Directors was held on September 17, 2019 and the next meeting of the EDGE Board of Directors is scheduled to be held on December 17, 2019.

3. That at a meeting of the Executive Committee duly called and held on December 3, 2019 (in the interim between the September 17, 2019 and December 17, 2019 meetings of the EDGE Board of Directors), at which a quorum was present and voting throughout, the Resolutions attached hereto were duly adopted by the Executive Committee, have not since been amended or revoked, and are now still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 3RD day of December, 2019.



Nicholas Bruno
Secretary

RESOLUTIONS

Authorizing Economic Development Growth Enterprises Corporation the submission by EDGE of an application to the United States Environmental Protection Agency for a Revolving Loan Fund Grant of up to \$1,000,000.00 to capitalize a revolving loan fund to be held and administered by EDGE for the award of such purposes to enter into a Memorandum of Agreement with Herkimer County Industrial Development Agency establishing a coalition to facilitate the cleanup and reuse of brownfield sites located in Oneida County and/or Herkimer County; and, if selected by EPA for such grant, to enter into a Cooperative Agreement with USEPA, and for related purposes.

RECITALS:

WHEREAS, Economic Development Growth Enterprises Corporation (“EDGE”) is a private, New York not-for-profit corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, whose corporate purposes are, among other things, to encourage the location and expansion of industrial and manufacturing capacity and the creation of new and improved job opportunities in and throughout Oneida County, New York and its environs; and

WHEREAS, Herkimer County Industrial Development Agency (“HCIDA”) is a New York public benefit corporation created by the New York State Legislature, whose corporate purposes are, among others, to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and recreation facilities for the benefit of Herkimer County, New York and its inhabitants; and

WHEREAS, EDGE desires to further its corporate purposes by forming a coalition with HCIDA (the “Coalition”) to facilitate the cleanup and reuse of brownfield sites located in Oneida County and/or Herkimer County, New York; and

WHEREAS, EDGE, acting on behalf of the Coalition as its “lead” eligible entity, desires to submit an application (the “Application”) to the United States Environmental Protection Agency (“USEPA”) for a FY2020 USEPA Revolving Loan Fund grant of up to \$1,000,000.00 (the “RLF Coalition Grant”) to capitalize a revolving loan fund (the “RLF”) to be held and administered by EDGE and used to provide no-interest or low-interest loans for eligible brownfield cleanups of sites located in Oneida County and/or Herkimer County, subgrants for such cleanups, and other programmatic costs necessary to manage the RLF; and

WHEREAS, if selected by USEPA for the award of an RLF Coalition Grant, EDGE desires to enter into a Cooperative Agreement with USEPA (the “Cooperative Agreement”) which sets forth the terms and conditions permitting the USEPA Project Officer to be substantially involved to overseeing the work relating to such brownfield site cleanups; and

WHEREAS, EDGE understands that if it is awarded an RLF Coalition Grant, one of the conditions of such award is that EDGE provide a cost share (which may be in the form of a

contribution of money, labor, material, or services as eligible and allowable costs under the grant) equal to 20% of the RLF Coalition Grant funds awarded (the “20% Cost Share”); and

WHEREAS, if EDGE and USEPA enter into a Cooperative Agreement, EDGE desires to enter into a formal Memorandum of Agreement with HCIDA (the “MOA”), prior to the expenditure of any RLF Coalition Grant funds, which documents the Coalition’s site selection process, establishes the respective roles and responsibilities of EDGE and HCIDA, and otherwise statistics applicable EPA requirements with respect to such coalitions.

NOW, THEREFORE, be it

RESOLVED, that EDGE submit the Application to USEPA for the RLF Coalition Grant, and be it further

RESOLVED, that if selected by USEPA for an award of an RLF Coalition Grant, EDGE negotiate, execute, and deliver a Cooperative Agreement with USEPA pertaining to such RLF Coalition Grant and will provide the required 20% Cost Share; and be it further

RESOLVED, that if EDGE and USEPA enter into a Cooperative Agreement, EDGE negotiate, execute, and deliver the MOA with HCIDA prior to the expenditure of any RLF Coalition Grant funds; and be it further

RESOLVED, that each of the President and the other officers of EDGE (each, an “Authorized Officer”), acting singly, is hereby authorized to negotiate, execute and deliver such agreements, documents, and/or instruments on behalf of EDGE including, without limitation, the Cooperative Agreement and the MOA, accept delivery of such agreements, documents, and/or instruments, and take such other action, as may be necessary or desirable in the opinion of such Authorized Officer in order to effect and carry out the matters hereinabove authorized.



December 3, 2019

STAFF

JOHN J. PISECK, JR.
Executive Director

STACEY J. HOLLERAN
Office Manager

VICTORIA L. ADAMS
Administrative Assistant

BOARD OF DIRECTORS

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Director

United States Environmental Protection Agency
Region 2

290 Broadway, 25th Floor
New York, New York 10007
Attn: Ms. Alison Devine

**Re: Application by Economic Development Growth Enterprises Corporation for a FY2020
EPA Revolving Loan Fund Coalition Grant**

Dear Ms. Devine:

Herkimer County Industrial Development Agency ("HCIDA") is a public benefit corporation created by the New York State Legislature serving Herkimer County, New York. Economic Development Growth Enterprises Corporation ("EDGE") is a New York not-for-profit corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, serving Oneida County, New York and its environs. Oneida County and Herkimer County adjoin one another and are part of the Mohawk Valley Region of New York State.

HCIDA and EDGE are committed to the formation of a two-member coalition (with the two of them as the members) for the purposes hereinafter described (the "Coalition").

On behalf of the Coalition, EDGE (as the "lead" eligible entity) is this date submitting an application (the "Application") for a FY 2020 United States Environmental Protection Agency ("EPA") Revolving Loan Fund grant (the "RLF Coalition Grant") of up to \$1,000,000.00 to capitalize a revolving loan fund (the "RLF") to be held and administered by EDGE. The purpose of the RLF would be to provide no-interest or low-interest loans for eligible brownfield cleanups of sites located in Oneida County and/or Herkimer County, subgrants for such cleanups, and other programmatic costs necessary to manage the RLF.

HCIDA fully supports the Application. Upon notification of award and prior to the expenditure of funds, HCIDA intends to enter into a Memorandum of Agreement with EDGE documenting the Coalition's site selection process, identifying and establishing relationships necessary to achieve the project's goals, establishing a process for successful execution of each project's goal, and a description and role of each Coalition member.

Sincerely,

John J. Piseck
Executive Director

420 E. German Street, Box 1 Suite 101A, Herkimer, NY 13350 315-866-3000

"This institution is an equal opportunity provider, employer and lender."



Economic Development Growth Enterprises Corporation
584 Phoenix Drive • Rome, NY 13441
315-338-0393 • Fax 315-338-5694

December 3, 2019

United States Environmental Protection Agency
Region 2
290 Broadway, 25th Floor
New York, New York 10007
Attn: Ms. Alison Devine

Re: Application by Economic Development Growth Enterprises Corporation for a FY2020 EPA Revolving Loan Fund Coalition Grant

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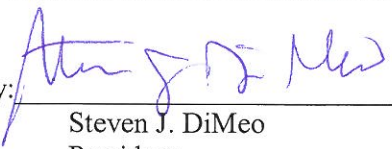
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On behalf of the Coalition, EDGE (as the "lead" eligible entity) is this date submitting an application (the "Application") for a FY 2020 United States Environmental Protection Agency ("EPA") Revolving Loan Fund grant (the "RLF Coalition Grant") of up to \$1,000,000.00 to capitalize a revolving loan fund (the "RLF") to be held and administered by EDGE. The purpose of the RLF would be to provide no-interest or low-interest loans for eligible brownfield cleanups of sites located in Oneida County and/or Herkimer County, subgrants for such cleanups, and other programmatic costs necessary to manage the RLF.

Needless to say, EDGE fully supports the Application. Upon notification of award and prior to the expenditure of funds, EDGE intends to enter into a Memorandum of Agreement with HCIDA documenting the Coalition's site selection process, identifying and establishing relationships necessary to achieve the project's goals, establishing a process for successful execution of each project's goal, and a description and role of each Coalition member.

Very truly yours,

ECONOMIC DEVELOPMENT GROWTH
ENTERPRISES CORPORATION

By: 
Steven J. DiMeo
President

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

12/03/2019

4. Applicant Identifier:

Mohawk Valley EDGE

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Economic Development Growth Enterprises Corporation

* b. Employer/Taxpayer Identification Number (EIN/TIN):

* c. Organizational DUNS:

0205457810000

d. Address:

* Street1: 584 Phoenix Drive

Street2:

* City: Rome

County/Parish:

Oneida

* State:

NY: New York

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code: 13441-4913

e. Organizational Unit:

Department Name:

MVEDGE Planning & Development

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mr.

* First Name:

Christian

Middle Name:

* Last Name:

Mercurio

Suffix:

Title:

Organizational Affiliation:

* Telephone Number: 315-338-0393

Fax Number:

* Email: cmercurio@mvedge.org

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

M: Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education)

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-19-06

* Title:

FY20 GUIDELINES FOR BROWNFIELD REVOLVING LOAN FUND GRANTS

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

1234-Oneida_Herkimer_RLF_Target_Area.pdf

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

MVEDGE is applying for RLF grant funding to facilitate brownfield redevelopment in the urban/population centers of Oneida and Herkimer Counties, NY. Oneida & Herkimer comprise the "Utica-Rome MSA"

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="1,000,000.00"/>
* b. Applicant	<input type="text" value="200,000.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="1,200,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email: * Signature of Authorized Representative: * Date Signed: